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January 10, 2022

To the People of Travis County:

I am writing this letter to update you on the work we did in 2021 to prioritize community safety and create a criminal justice system that works for everyone – two goals that can and must coexist. I am extremely proud of what we have accomplished together, and I know there is so much more to do. When I took office, I had three goals. **First**, I wanted this office to prioritize victims of crime and their families and find more effective ways to help them heal. **Second**, I wanted this office to prioritize community safety, which we are doing by pursuing evidence-driven approaches to preventing future violence. **Finally**, we have prioritized ensuring our criminal justice system treats everyone the same, regardless of race, ethnicity, or income. All the while, we have implemented policies that reduce our reliance on incarceration when there is no public safety threat.¹ Our system is more accountable and equal than when I took office a year ago.

Prioritize Victims

To ensure that the **voices of victims are centered** in the work we do, we created a stand-alone victim-services division. The Director of the Division, [Neva Fernandez](#), is a member of our senior leadership team.

- The unit now has [guidelines](#) for working with victims that center their needs in the criminal prosecution.
- Our team and I also meet with victims of crime and their families, particularly the families of homicide victims, as early in the process as we are able so that they can participate in their case as early as possible.
- The unit also works with stakeholders and is seeking a grant to continue the work of identifying people who are at a high risk for committing an act of violence and intervening to make sure they do not.

We re-evaluated how we treat **sexual assault cases**.

- We settled the [lawsuit](#) brought against the previous administration by survivors of sexual assault.

¹<https://www.traviscountytexas.gov/district-attorney/our-office/office-policies>

- We developed an advisory board of community members, advocates, and crime survivors who are helping us further shape our policies to better center and support victims.
- Our office [re-joined the Sexual Assault and Resource and Response Team \(SAART\)](#).
- We created new processes to ensure that every sexual assault case brought to us is evaluated by three experienced sexual assault prosecutors before we make any decisions about accepting or rejecting the case.

We are holding accountable **powerful actors** who abuse the system and law enforcement officers who break the law. For the first time, our office is prioritizing victims, regardless of who harmed them.

- We hired a Public Rights Project Fellow who focuses on investigating and prosecuting wage theft cases.
- We [recently signed an agreement](#) with the Department of Labor to share information about wage theft cases to expand our enforcement capabilities.
- True to [our promise](#) to bring every case involving a police officer's use of deadly force to the grand jury, we have presented 34 cases. Of those, the grand jury cleared 25 officers, and 11 officers have been indicted.

Keeping our Community Safe

In order to address the **growing number of homicides** in Travis County, we developed proactive strategies that will **prevent future acts of gun violence**.

- In December, we released a [four-part plan](#) to address the issue, which included creating a liaison with the City of Austin Office of Violence Prevention, working with partners to create a pilot gun possession intervention program, and helping to fund a Trauma Recovery Center.
- We implemented a [policy requiring firearm surrender](#) for people charged in family violence cases. That policy also requires certain criminal defendants to surrender their firearms to a law enforcement agency.
- Our newly created **homicide/major crimes unit** is composed of our most senior attorneys.
- This year, our office secured over 1,200 indictments in cases of violent offenses, including charges of murder, kidnapping, sexual assault, aggravated assault, and violent crimes against children.

Because **we believe that addressing the root causes of crime makes us safer than prison in most cases**, we implemented [sentencing guidelines](#) to be used in every case.

- We expanded [pre-trial diversion](#) eligibility to include people who have a prior conviction and are charged with a non-violent offense.
- To date, 1,587 cases have been admitted to diversion. Traditionally in Travis County, between 300-400 people were admitted into pre-trial diversion annually, and many had to pay fees to do so. We have waived the fees when a person cannot afford to pay them.
- We are working to connect people admitted into the program to services. For example, we created a pilot program to connect program participants with job training opportunities.
- We are partnering with the District Clerk, County Clerk, and County Attorney's Office for Travis County's annual expungement fair, where we expect to recommend expungement for over 300 people. As part of that effort, we are partnering with Indeed.com to link people who

have had their records expunged with job search services. The fair will happen once COVID infection rates decrease.

By treating substance use disorders as a public health issue instead of a criminal issue, we ensure that people are able to get the help they need to stop criminal behavior.

- We are not prosecuting narcotics cases under one gram unless there is a public safety reason.
- We [partnered](#) with local advocates and groups to raise awareness about the growing overdose public health crisis, and we are sponsoring overdose prevention trainings that will be held in Austin in early 2022.
- We are committed to making the public aware that if someone is overdosing and a 911 call is made for help, absent public safety considerations, we will not prosecute the 911 caller.

A Fair and Equitable System for All

Ensuring **that our criminal justice system is equitable** and fair increases trust in that system and that makes us more safe.

- Between [3,000-9,000 Texans are incarcerated today](#) for crimes they did not commit. It is estimated that the evidence in about [half of those wrongfully convicted](#) was, in part, based on faulty forensic science. To address this, we hired two experienced attorneys for our Conviction Integrity Unit with tremendous relevant criminal justice expertise, including in forensic science, to review old cases.
- There is now an “expert witness panel” that reviews every case where someone in the office plans to use an expert to ensure the science is sound.
- We agreed to the release of [Rosa Jiminez](#), who was convicted of murder and sentenced to life; new evidence was brought to light indicating that the child’s death was accidental.
- The Criminal Court of Appeals [granted relief](#) on a case in which we joined with the defense to argue that a man’s conviction should be vacated because it was based in part on unreliable evidence from the APD DNA Lab.

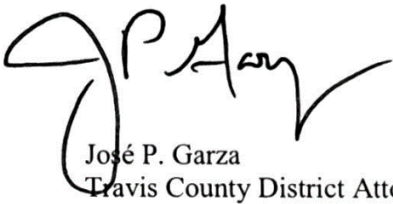
In order to help end the school-to-prison pipeline, we brought in a fellow from the FUSE Corp.org who is helping us build a **restorative justice program** for juvenile cases. Once the program is up and running, we will expand it to appropriate adult cases.

That is the tip of the iceberg. In the past year, we have also made changes to our office structure; we created a training manager position, a public information officer position, and a grants manager to help us find funding for many of our programs. In 2022, we will continue to work hard to make you proud of this office and keep you safe.

Ensuring that our criminal justice system fully lives up to the aspirations of our community will not be easy, nor will it come quickly. We have already seen opponents of reform attempt to use fear and misinformation to stop our progress. But if we continue to pursue what the data and evidence tell us will keep our community safe, it is possible to have the criminal justice system we deserve. We have already done so much to make our system more equitable and keep us safe.

Over the next several months, I look forward to continuing to hear from you directly. I look forward to hearing about how we can continue to make sure you feel safe in your neighborhood and proud of your criminal justice system. It is critical that we expect both. Together, it is possible to achieve both.

Sincerely,

A handwritten signature in black ink, appearing to read "JP Garza", with a large, stylized "J" and "P" followed by "Garza".

José P. Garza
Travis County District Attorney